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PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/708,124	
	Filing Date	February 9, 2004	
	First Named Inventor	Susumu Noda	
	Art Unit	2874	
	Examiner Name	Phan T.H. Palmer	
Total Number of Pages in This Submission	27	Attorney Docket Number	39.038

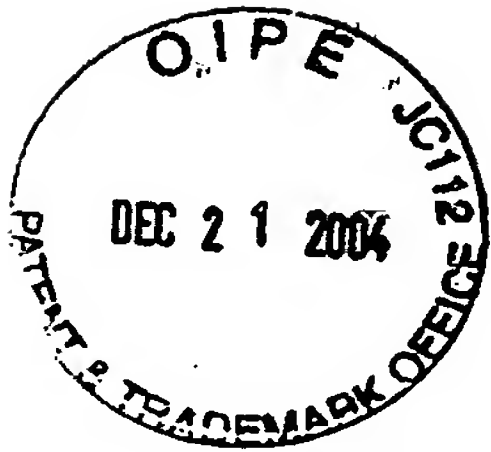
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Judge Patent Firm		
Signature			
Printed name	James W. Judge		
Date	December 14, 2004	Reg. No.	42,701

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App. No.	:	10/708,124	Confirmation No. 2123
Applicant	:	Susumu Noda, et al.	
Filed	:	February 9, 2004	
Tech. Cntr./Art Unit	:	2874	
Examiner	:	Phan T.H. Palmer	
Docket No.	:	39.038	
Customer No.	:	29453	

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This constitutes an Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98. The attached documents listed on the accompanying Form PTO/SB/08A are hereby brought to the Examiner's attention in the patent application identified above.

**REMARKS**

Cite Nos. U1 and O1 through O3, listed on Form PTO/SB/08A submitted herewith, were cited in a communication from the European Patent Office in a counterpart application.

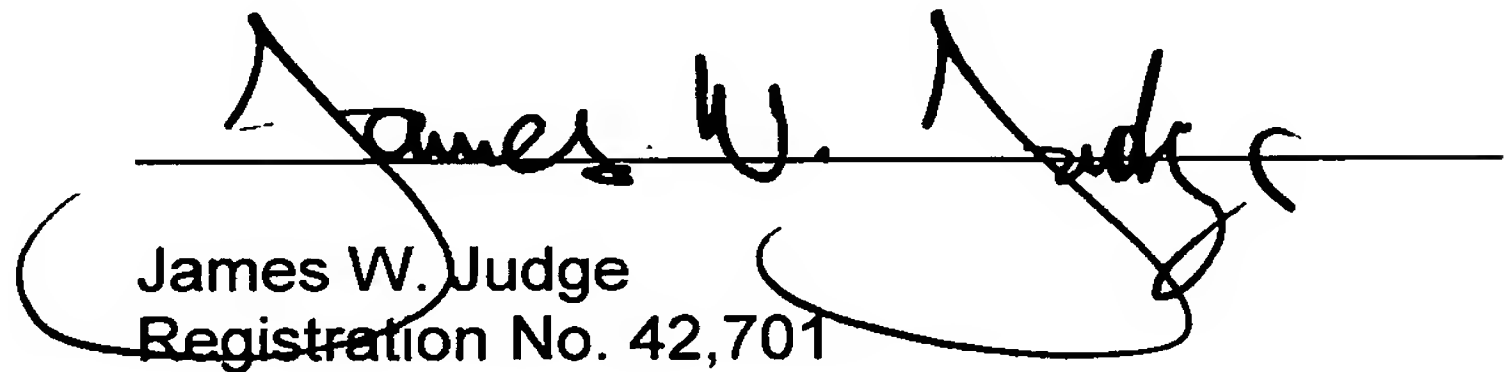
For the Examiner's reference, a copy of the European Search Report also accompanies this paper. Of the five references cited in the Search Report, the non-patent document titled "Design of a channel drop filter by using a donor-type cavity with high-quality factor in a two-dimensional photonic crystal slab" has already been submitted in an IDS dated May 17, 2004 in the instant case, and because it is thus cumulative to material already made of record, the reference is not being submitted here.

App. No. 10/708,124  
IDS Submission

The Examiner is respectfully requested to consider these references, and to indicate so on the accompanying Form PTO/SB/08A and make the document of record in the present application.

Respectfully submitted,

December 14, 2004



James W. Judge  
Registration No. 42,701

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PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/708,124
				Filing Date	February 9, 2004
				First Named Inventor	Susumu Noda
				Art Unit	2874
				Examiner Name	Phan T. H. Palmer
				Attorney Docket Number	39,038
Sheet	1	of	1		

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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/708,124
				Filing Date	February 9, 2004
				First Named Inventor	Susumu Noda
				Group Art Unit	2874
				Examiner Name	Phan T. H. Palmer
				Attorney Docket Number	39.038
Sheet	2	of	1		

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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